

## COASTAL PELAGIC SPECIES MANAGEMENT TEAM REPORT ON SMALL-SCALE FISHERY AMENDMENT

The Coastal Pelagic Species (CPS) Fishery Management Plan (FMP) provides criteria for establishing incidental catch allowances and live bait fishing allowances for instances when a particular stock is overfished or not overfished (Chapter 5). When a directed CPS fishery is closed, these small allowances have enabled the continued prosecution of the other open CPS fisheries, non-CPS fisheries, as well as the operation of the live bait fishery. The purpose of these allowances is to minimize negative impacts to these other fisheries while meeting conservation goals.

As the Coastal Pelagic Species Management Team (CPSMT) has previously described (November 2016 Agenda Item G.3.a, CPSMT Report and September 2016 Agenda Item E.4.a, CPSMT Report), some very small-scale commercial fishing operations that target Pacific sardine have been negatively affected by the recent closures of the directed sardine fishery. When the primary directed Pacific sardine fishery closes, the CPS FMP allows for incidental landings of sardines by fisheries targeting other CPS and for fisheries targeting species other than CPS and for directed live bait harvest.

However, some other very small-scale fisheries targeting Pacific sardine have been precluded from fishing and/or harvesting even *minor* amounts because they are not caught incidental to another CPS species (i.e., within allowances) or the fish are not sold as live bait. These small-scale fisheries sell sardine as specialty dead bait to recreational and commercial fisheries, or for human consumption to restaurants and the public.

In November 2016, the Council approved a range of alternatives and selected a preliminary preferred alternative for small-scale fisheries to alleviate the negative impacts to these operations from a directed sardine closure, as well as potential closures of other CPS finfish fisheries in the future.

### Range of Alternatives

The following alternatives were approved for consideration. They differ primarily in the trip limit amount, which specifies the maximum allowable amount of the CPS harvested by these small-scale fisheries when the directed fishery of that CPS is closed.

**Alternative 1, Status Quo:** This alternative would retain the existing management approach to small-scale fishing activities, which are allowed when the directed fisheries are open, but are required to shut down when the directed fishery is closed. There would be no *directed* landings allowed during a fishery closure for a given stock, aside from existing allowances for live bait and tribal harvest.

**Alternative 2, Trip Limit up to 0.5 mt:** This alternative would allow small-scale directed fishing operations to continue even when the directed fishery is closed. It incorporates the elements in the scope as adopted by the Council, and would establish a maximum trip limit of 0.5 mt. The Council would retain the option to establish a trip limit at a level below 0.5 mt for a fishery year.

**Alternative 3, Trip Limit up to 1.0 mt:** This alternative would allow small-scale directed fishing operations to continue even when the directed fishery is closed. It incorporates the elements in the scope as adopted by the Council, and would establish a maximum trip limit of 1.0 mt. The Council would retain the option to establish a trip limit at a level below 1.0 mt for a fishery year.

**Preliminary Preferred Alternative, Trip Limit up to 1.0 mt per vessel per day:** This alternative is the same as Alternative 3 with the modification that only one trip, with a maximum of 1.0 mt, is allowed per vessel per day. Guidance was also provided that this alternative should accommodate beach seine operations such as those in Oregon.

### Impacts of the Alternatives

The information provided below for the alternatives is based on historical landings for fishing operations negatively affected by the 2015-2016 and 2016-2017 closures of the directed sardine fishery. Directed fishing for other CPS has not been closed and therefore quantitative information for potential impacts is not available. However, fishery closure impacts are expected to be similar, especially regarding the type and number of operations potentially negatively affected, and the magnitude of their potential harvest, should the proposed landing limits be allowed for these species. Although landings would be allowed coastwide, data for this type of landing are only available from California and Oregon because such fishing activity has not occurred in Washington, and state licensing provisions will constrain this opportunity. All landings by these small-scale operations would be recorded on fish tickets, and the landings would count toward the annual catch limit (ACL), and therefore would not compromise conservation goals.

**Alternative 1, Status quo:** A few small-scale fishery operations would continue to be precluded from some fishing activities when directed fishing for a CPS was closed. When the directed sardine fishery is closed, some small-scale fisheries, which sell sardine as specialty dead bait to recreational and/or commercial fisheries or for human consumption to local restaurants and the public, are unable to operate or are severely restricted. For example, a unique beach seine fishery targeting CPS to supply bait (dead) for recreational fishers has been unable to operate under the incidental landings allowances during the directed sardine fishery closures. There are no other operations able to supply the desired bait to these recreational fishers. Also, the economic loss to the fishing operation and associated impacts to recreational fishing activity represents an economic loss to the small, local community. Similarly, some operations using hook-and-line gear have curtailed fishing for sardine since the closure of the directed fishery in 2015-2016. Other fisheries, using a variety of gear types, fish for local restaurants and high end dead bait and also do not meet the criteria to fish during the directed sardine fishery closure. Although these landings represent a small proportion of the total sardine landings, not having the opportunity to fish would continue to significantly impact their livelihood.

**Alternative 2, Trip Limit up to 0.5 mt:** For sardine landings data during the period 2005-2015, the highest total annual landings (29.5 mt) were made in 102 landings by eight operations (at sea and on shore). For this eleven-year period, the average annual total from sardine landings less than 0.5 mt was 10.25 mt per year. The number of participants coastwide ranged between four and ten per year. Under this alternative, fishing activities for these small-scale operations would be significantly improved, although not all activity would be potentially allowed, based on historical landings information. For example, since 2005, 80 percent of the landings by the beach seine operation and 100 percent hook-and-line operations were < 0.5 mt per trip.

This alternative does not appear to have a negative economic impact to the primary CPS commercial fleet that utilizes incidental set-asides to access other CPS during sardine closures. For example, even if small-scale fishery landings under this alternative were twice the highest level that occurred during the 2005-2015 period, the annual total would be about 60 mt of sardines. Twice the average annual total would be about 20 mt. For comparison, sardine landings totaled about 165 mt during the 2015-2016 directed fishery closure, out of an ACL of 7,000 mt.

**Alternative 3, Trip Limit up to 1.0 mt:** For targeted sardine landings of less than one metric ton for years 2005-2015, the highest landing year had 134 landings by 12 operations, totaling 50 mt of sardines. For this period, the average landings that would fall in this category were about 20 mt per year. The number of participants coastwide ranged between about 5 and 12 per year. Under this alternative, a large portion of fishing activities by some of these small-scale operations could be potentially allowed. For example, since 2005, 95 percent of the landings by a beach seine operation and 100 percent of hook-and-line operations were < 1.0 mt per trip.

This alternative does not appear to have a negative economic impact to the primary CPS commercial fleet that utilizes incidental set-asides to access other CPS during sardine closures. For example, even if small-scale fishery landings under this alternative were twice the highest level that occurred during the 2005-2015 period, the annual total would be about 100 mt of sardines. Twice the average annual total would be about 40 mt. For comparison, sardine landings totaled about 165 mt during the 2015-2016 directed fishery closure, out of an ACL of 7,000 mt.

**Preliminary Preferred Alternative, Trip Limit up to 1.0 mt per vessel per day:** The impacts of this alternative are similar to those for Alternative 3 because the majority of small-scale operations did not make more than one trip per day. For targeted sardine landings of less than one metric ton per day for years 2005-2015, the highest landing year had 129 landings by 12 operations, totaling 47.6 mt of sardines. Total annual landings averaged 17.3 mt, and ranged between 1.4 mt and 47.6 mt. The number of participants coastwide ranged between 5 and 12 per year. Under this alternative, a large portion of fishing activities by some of these small-scale operations could be potentially allowed. For example, since 2005, 95 percent of the landings by a beach seine operation and 100 percent of hook-and-line operations were < 1.0 mt per day.

This alternative does not appear to have a negative economic impact to the primary CPS commercial fleet that utilizes incidental set-asides to access other CPS during sardine closures. For example, even if small-scale fishery landings under this alternative were twice the highest level that occurred during the 2005-2015 period, the annual total would be about 95 mt of sardines. Twice the average annual total would be about 35 mt. For comparison, sardine landings totaled about 165 mt during the 2015-2016 directed fishery closure, out of an ACL of 7,000 mt.

### **FMP Amendment Language and Regulatory Implementation**

This action would be implemented as Amendment 16 to the CPS FMP. The CPSMT is in the process of preparing draft revised FMP language (underline/strikethrough) that will be submitted supplementally. We anticipate that this proposed action will require an additional section be added to Chapter 5 BYCATCH, INCIDENTAL CATCH, AND ALLOCATION of the FMP that will describe this additional allowance of minor directed harvest after directed fishery closures, similar to the incidental and live bait allowances described in that chapter, as well as small revisions to

the various sections of the FMP that speak to incidental-only allowances. Regulatory language changes will also need to be made at 50 CFR part 660, subpart I.

If implemented, the CPSMT will monitor landings and report back to the Council.

PFMC

03/21/17